

## CHAPTER 2

### Definitions

2.1 Allocation

The assignment of a position to its appropriate class in relation to duties performed.

2.2 Appeal

An application or procedure for review of an alleged grievance submitted or instituted by an employee to the Civil Service Commission or to other higher authority.

2.3 Appointing Authority

The officer, board, commission, person, or group of persons having the power by virtue of state law or County ordinance to make appointments. The appointing authority is generally responsible for personnel administration within a given department. As used in these regulations, the term "appointing authority" is synonymous with the term "department head."

2.4 Appointment

The offer to and acceptance by a person of a position.

2.5 Assembled Examination

An examination for which applicants are required to appear at a specific place for the purpose of taking a test.

2.6 Break in Service

Any separation from the service of Fairfax County whether by resignation, lay-off, dismissal, unsatisfactory service, disability, retirement, or absence without leave of three days or more when the employee is subsequently reemployed. An authorized leave without pay shall not be considered as constituting a "break in service."

2.7 Business Day

Calendar days exclusive of Saturdays, Sundays, and legal holidays.

## 2.8 Class

A group of positions which are sufficiently alike in general duties and responsibilities to warrant the use of the same title, specification and pay range.

## 2.9 Class Series

A number of classes of positions which are substantially similar as to the types of work involved and differ only in rank as determined by the importance of the duties and degree of responsibility involved and the amount of training and experience required. Such classes constitute a series and each is usually given a designation either by Roman numerals, beginning with the lowest level as I, next level II, or by rank adjectives such as the junior, intermediate or senior level, etc.

## 2.10 Class Specification

A written description of a class consisting of a class title, a general statement of the level of work, a statement of the distinguishing features of work, some examples of work, and the minimum qualifications for the class.

## 2.11 Classification

The grouping of positions in regard to: (a) kinds of duties performed and responsibilities; (b) level of duties performed; (c) requirements as to education, knowledge and experience and ability; (d) tests of fitness; (e) ranges of pay.

## 2.12 Classification Review or Reclassification Review

An evaluation of the duties and responsibilities of a position performed by the Department of Human Resources to determine the appropriateness of the present class. Appropriateness will be determined on the basis of: (a) kinds of duties performed and responsibilities; (b) level of duties performed; (c) requirements as to education, knowledge and experience and ability; (d) tests of fitness; (e) ranges of pay. The review will result in the position retaining its present class assignment; or being assigned to an existing lower class, or being assigned to an existing higher class; or being assigned to a new class created by amendment to the Classification and Compensation Plans.

## 2.13 Classification Plan

The official or approved system of grouping positions into appropriate classes, consisting of three parts: (1) a schematic index to the class specifications; (2) the class specifications; and (3) rules for administering the classification plan.

2.14 Compensation

The standard rates of pay which have been established for the respective classes of work, as set forth in the compensation plan.

2.15 Compensation Plan

The official schedule of pay approved by the Board of Supervisors assigning one or more rates of pay to each pay grade.

2.16 Compensatory Leave

Time off in lieu of monetary payment for overtime worked.

2.16a Compensatory Time Eligible

Employees in pay grades S-26 P/O/C-27, F-31 or above and L-02 or above, excluding any classes designated as FLSA eligible in a procedural memorandum issued by the Human Resources Director.

2.17 Competitive Promotion

A promotion based on a competitive examination with appointment to the higher level position restricted to a specific number of persons receiving the highest ratings.

2.18 Competitive Service

All officers and positions in the service of Fairfax County as defined in the Merit System Ordinance.

2.19 Continuous Service

Employment without interruption, including merit service with the Fairfax County School System, except for absences on approved leaves or absences to serve in the Armed Forces of the United States, or absences of less than one calendar year when followed by reemployment or reinstatement. Service prior to normal or early retirement from a County retirement system shall not be counted.

2.19a Deferred Retirement Option Plan (DROP)

An option in lieu of immediate retirement in which an employee remains employed by his/her department, but no longer contributes to his/her respective retirement system and must retire within 3 years of election to DROP. DROP participants retain the rights and privileges of merit employees.

2.20 Definition of Duties

The work requirements for each position in terms of the importance, difficulty and extent of supervision and responsibility attaching thereto.

2.21 Demotion

Assignment of an employee from one class to another which has a lower maximum rate of pay.

2.22 Department

An administrative branch including a line of work and a group of employees under the immediate charge of a chief executive officer or officers of a department, institution, court, board or commission of the County government, which latter officer or officers shall be known as the department head.

2.23 Dismissal

Separation from County employment for cause.

2.23a Department Head

An employee appointed by the Board of Supervisors to oversee, direct or manage a major functional division of County government, whether formally known as a department or not, under the general direction of the County Executive, and to act as the appointing authority for the positions assigned to that organization. As used in these regulations, the term “department head” is synonymous with the term “appointing authority.”

2.23b Deputy

One or more individuals authorized to act in specific functional areas for the department head.

2.24 Eligible

A person who has successfully met required qualifications for a particular class.

2.25 Eligible List

The ranking of eligibles by class in order of score earned.

2.26 Employee

An individual who is legally employed by the County and is compensated through the

County payroll for his services. Individuals or groups compensated on a fee basis are not included.

2.27 Examination

The process of testing, evaluating or investigating the fitness and qualifications of applicants.

2.28 Exempt Service

Those positions not included in the competitive service as defined in the Merit System Ordinance.

2.28a Fire Protection Personnel

24-hour shift employees in the Fire and Rescue Department who perform suppression and rescue duties as defined in the Fair Labor Standards Act (29 CFR Sec. 553.3).

2.28b Fair Labor Standards Act

Legislation originally enacted by Congress in 1938, which establishes requirements with respect to minimum wage, overtime, compensation and record keeping.

2.28c Full-Time Employee

Any employee who is regularly scheduled to work at least 2,080 hours in 12 consecutive months.

2.28d FLSA Eligible

Employees in pay grades S-20, P-23, O/C-21, F-22 and below and those employees in additional job classes as designated in a procedural memorandum issued by the Human Resources Director.

2.28e Full-Time Position

Any position which is authorized to be filled for at least 2,080 hours in 12 consecutive months.

2.28f Hourly Rate of Pay

The hourly rate of pay is shown on the County pay plans for the minimum, midpoint and maximum of each pay range. Public safety pay plans shall include such intermediate rates as deemed appropriate. Hourly rates are carried out to four places after the decimal. The hourly rate is derived by dividing annual salary by 2,080 which is the number of scheduled hours for a full time employee. The hourly rate for fire protection personnel assigned to a 24 hour shift is derived by dividing the annual salary by 2,912 which is the number of scheduled

hours for a full time fire protection employee.

2.29 Immediate Family

Includes wife, husband, son, daughter, mother, father, brother or sister of employee, and other close relatives.

2.30 Incumbent

An employee occupying a position in the County service.

2.30a Law Enforcement Personnel

Sworn employees of the Police Department (including animal control officers) and Office of the Sheriff who are empowered to enforce laws, have the power of arrest and have undergone (or will be undergoing) on-the-job training or similar instruction as defined in the Fair Labor Standards Act (29 CFR Sec. 553.4). The term also includes security personnel in correctional institutions.

2.31 Lay-Off

Separation of an employee from a position to which he was legally certified and appointed as a result of the abolition of a position, lack of work or lack of funds.

2.32 Longevity Pay Increment

An increase in compensation established in the compensation plan as a reward for long and faithful service for public safety employees.

2.32a Merit Employee

Any employee in the competitive service.

2.32b Merit System

The system of personnel administration applicable to the competitive service. It includes the Merit System Ordinance, any applicable provisions of other County ordinances, Personnel Regulations, and all applicable and lawful personnel management directives of the Board of Supervisors, County Executive or Human Resources Director.

2.33 Minimum Wage

The minimum hourly wage to be paid to employees as designated by the United States Department of Labor.

2.34 Multi Rater Option

The use of feedback from persons in addition to the immediate supervisor as part of the performance review process.

2.35 Open Examination

An examination open to the public and not limited to applicants in County service.

2.36 Overtime (FLSA)

Time actually worked by an employee (excluding employees in law enforcement and fire protection as defined herein) in excess of 40 hours during his/her seven consecutive days work period. Overtime for law enforcement personnel shall be time actually worked in excess of 82 hours during his/her 14 consecutive day work period. Overtime for fire protection personnel shall be time actually worked in excess of 212 hours during his/her 28 consecutive day work period. Non-FLSA overtime includes hours worked in excess of the employee's scheduled hours but less than the eligibility requirement for FLSA overtime stated above.

2.37 Overtime Pay

Compensation paid to an employee for overtime work performed in accordance with these rules. The rate of pay for overtime compensation will be either 1 times the hourly rate or 1 and 1/2 times the regular rate of pay as prescribed in Section ~~4.12~~ 4.14 of these rules.

2.38 Part-Time Employee

An individual who is assigned to a work day of less than eight hours or less than forty hours a week.

2.39 Part-Time Position

Any position, which does not meet the criteria, set forth for full-time positions in the Merit System Ordinance and these regulations.

2.40 Pay Grade

A combination of letter and number symbol indicating the pay range on a county pay schedule assigned to one or more classes in the Compensation Plan.

2.41 Pay Grade Reallocation Review

An evaluation of a class performed by the Department of Human Resources to determine the appropriateness of the present pay grade. The review will result in the class retaining its present pay grade assignment; or being assigned a higher or lower pay grade requiring

amendment to the Compensation Plan. Such a review may include, but is not limited to pay factors including prevailing area levels of pay, internal evaluation of the relative worth of the class and economic and related fiscal concerns.

2.42 *Pay Period*

The 14 consecutive calendar day period utilized for the calculation of paychecks and the crediting of leave earned.

2.43 *Pay Range*

Rates of pay assigned to a pay grade on a County pay schedule in the Compensation Plan. For non-public safety employee classes, a pay range shall consist of the minimum and maximum rates of pay and the mid-point of the range. Pay ranges assigned to grades allocated to classes of public safety employees shall consist of the minimum and maximum rates of pay as well as intermediate steps.

2.44 *Pay Rate*

A specific dollar amount expressed as an annual rate, a bi-weekly rate or an hourly rate, as shown in a County Pay Plan.

2.45 *Pay Status*

Any period in which an employee is actually working or using paid leave.

2.46 *Performance Pay Bonus*

A lump sum payment made to an employee who is earning the maximum salary in his/ her pay grade. A department head or designee, may grant an employee who is earning the maximum salary in his/her pay grade following his or her annual performance review, a bonus of up to 5 % of his/her salary if he/she meets or exceeds the performance requirements set for the award of such bonuses. The award of such a bonus does not change the employee's salary.

2.47 *Performance Pay Increase*

An increase in compensation, which may be granted to an employee by his/her department head or designee for performance that meets the requirements specified for such pay increases.

2.48 *Performance Pay Increase Date*

The date an employee's pay increase or bonus is effective.



2.49 Position

Any office or employment, whether occupied or vacant, full-time or part-time, consisting of duties and responsibilities assigned to one individual by competent authority.

2.50 Primary Position

When an employee holds more than one position with the County, one of the positions is designated as the primary and the other as the secondary for the purpose of calculating pay and benefits and tracking employment history. If the two positions are equal in pay and scheduled hours, the primary position is the one the employee occupied first. Otherwise, the primary position is the position with higher pay and/or hours.

2.51 Probationary Period

The working test or trial period of employment beginning with the date of appointment to a particular class.

2.52 Promotion

Assignment of an employee from one class to another which has a higher maximum rate of pay.

2.53 Promotional Examination

A competitive examination restricted to persons who are on regular appointment in the County classified service or to persons who are eligible to reinstatement thereto.

2.54 Public Safety Employees

For the purposes of these regulations, public safety employees includes all uniformed employees in the Police Department, Fire and Rescue Department and the Office of the Sheriff. It also includes all other job classes that are included on P/O/C/F pay scales.

2.55 Qualifications

The minimum educational, experience and personal requirements which must be fulfilled by a person preliminary to appointment or promotion.

2.56 Reduction in Rank

Assignment of an employee from one class to another class which has a lower maximum rate of pay. Same as demotion.

2.57 Reemployment

Reappointment of a former merit employee, who had completed the probationary period and was separated in good standing but did not retire, which is not considered a reinstatement as defined herein.

2.58 Reemployment List

A list of names of former County employees with a break in service of less than one calendar year, arranged in order of their right to reinstatement as defined in Section 2.60, or reemployment in lower classes of the same or similar series as that in which the employee was serving at the time of termination.

2.59 Regular Rate of Pay

The rate of pay to be utilized for the calculation of overtime pay in accordance with FLSA requirements. The regular rate is derived by dividing the total amount of eligible pay for the work period (including the hourly rate and shift differential) by the number of hours worked during the work period.

2.60 Reinstatement

Reappointment of a former merit employee who had completed the probationary period and was separated in good standing, but did not retire, after a break in service of less than one calendar year to the position or class formerly held.

2.61 Restoration

A return to a position in a class in which status was formerly held where there has been no break in service.

2.62 Scheduled Hours

The number of hours that an employee is scheduled to work each pay period on a recurring basis as reflected in the personnel record for the position occupied.

2.63 Self Assessment

The completion of a performance evaluation form by the employee to provide his/her assessment of their performance during the review period.

2.64 Separation

Leaving a position including resignation, lay-off, dismissal, unsatisfactory service, disability and death.

2.65 *Straight Pay Eligible*

Employees in pay grades S-21 to S-25, P-24 to P-26, O-22 to O-26, C-22 to C-26, F-25 to F-29 and L-01 excluding any job classes designated as FLSA eligible in a procedural memorandum issued by the Human Resources Director.

2.66 *Suspension*

An enforced leave of absence without pay for disciplinary purposes or pending investigation of charges made against an employee.

2.67 *Transfer*

Assignment of an employee from one position to another position. Transfers can take place within a department, between departments, between positions of the same pay range, between positions of different pay ranges, between positions of the same class or between positions of different classes.

2.68 *Unassembled Examination*

An examination in which qualifications are evaluated on the basis of records or education and experience submitted by the applicants, supplemented by any information obtained by an investigation.

2.69 *Vacancy*

A position which has been newly established or which has been rendered vacant by the resignation, death or other removal of the previous incumbent.

2.70 *Workday*

Days of the week and number of hours an employee is scheduled to work. Work schedules vary by operation and agency.

2.71 *Workweek*

The seven consecutive days period beginning at 12:00 a.m. Saturday and ending the following Friday at 11:59 p.m. during which an employee (excluding law enforcement and fire protection personnel as defined herein) is scheduled to work.

2.72 *Work Period*

The period during which an employee is scheduled to work. For all employees except law enforcement and fire protection personnel as defined herein, the work period shall be the work week which comprises one half of a pay period. The work period for fire protection personnel shall be a 28 consecutive calendar day period beginning at 12:00 a.m. Saturday

and ending at 11:59 p.m. Friday and covering 2 pay periods. The work period for law enforcement personnel shall be a 14 consecutive calendar day period beginning at 12:00 a.m. Saturday and ending at 11:59 p.m. Friday and covering one pay period.